

Hunters Point Press Responses March 2, 2018 – May 11, 2018

March 2, 2018

Questions:

- Is it just radiological contamination that is under control at the 3 parcels, or is it all contaminants?
- Does EPA still believe that all work done at the UC parcels, a PDF of which is attached, poses no risk to workers or the public?
- If we are saying there is no risk, how do we know that? How is it that land that was called clean is not clean?
- Didn't the data used to make the contentions in the FOST documents come from Tetra Tech data? If so, how much confidence can the EPA and the public have in it?
- The Navy has contacted (or perhaps will be contacting?) the city of SF with plans for those 3 parcels; is EPA aware of those plans?

Response:

EPA is still investigating the impacts of Tetra Tech EC Inc.'s failure to follow the cleanup work plan at Hunters Point Naval Shipyard. Our focus is on ensuring both that no current workers or residents are exposed to hazardous materials and that future residents and workers are protected. We believe that current procedures and protocols will protect current workers and residents, and we are working with the Navy and the state of California on plans to ensure that any radiological contamination that may remain on-site is cleaned up to the standards set in the cleanup decision documents.

Even though the Navy transferred Parcels D-2, UC-1, and UC-2 to San Francisco in 2015, construction on new projects within these parcels is only allowed with a specific work plan approved by the regulatory agencies. As part of the review process for any new construction proposals, EPA and its state regulatory partners assess any potential concern about radiological exposure and any other hazardous contaminants.

For example, EPA reviewed the draft workplan for the new artists' building, part of which is located on Parcel UC-2, before construction started. We researched the locations closest to the artists' building where Tetra Tech EC Inc. had done trench and other radiation cleanup work. None of the radiological work that is in question lies within the boundaries of the artists' building work. Therefore, EPA has no concern about radiological exposure—or any other hazardous contaminants—associated with construction of the artists' building.

EPA is not aware of any city plans for new proposed construction projects on these parcels in the near future.

March 5, 2018

Question: Just so we're clear: to the question of whether the work done at the parcels that may now be unclean poses or posed any threat, the answer is that EPA believes "current procedures and protocols will protect current workers and residents"?

Answer: Due to uncertainty related to data falsification in Tetra Tech EC Inc. radiological work done on Parcels D-2, UC-1, and UC-2, EPA has reviewed potential threats associated with existing and past conditions. We believe that past and current procedures and protocols have protected and will continue to protect past and current workers and residents from concerns associated with falsification. In addition, to protect future workers and residents, we are working with the Navy and the state of California on plans to ensure that any radiological contamination that may remain on-site is found and cleaned up to the standards set in the cleanup decision documents.

April 10, 2018

Q: I'm working on a quick radio story for KQED about the need to resample the soil at Hunter's Point. Would you be available for a quick phone call?

Response:

Please see attached for the report in question, which EPA sent to the Navy on December 29, 2017. The report shows EPA's findings from our independent review of Parcels B and G soil sample data; please let us know if you have any specific questions about the report.

In regards to the discrepancies in the percentages, EPA's assessment of the data included looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results.

EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done.

April 12, 2018

Questions:

Q1 - What does "97% of survey units" mean in terms of clean-up? (Is that months, years, or just impossible?)

Q2 - Has the Navy responded to the numbers in the EPA's review?

Q3 - Did the EPA look at the soil results for areas where people are currently living/working on the property? (e.g. the artists studios in Parcel B, the new homes that were most recently built?)

Response:

Q1 and Q2:

The Navy will be resampling the impacted parcels and will rely on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done. The final plan for resampling is not yet complete, though the Navy has committed to resampling 100% of the survey units previously sampled by Tetra Tech EC Inc. The resampling results will determine how much additional cleanup may be needed, so at this time we are unable to predict how long that cleanup may take.

Q3:

The Navy transferred Parcels D-2, UC-1, and UC-2 to San Francisco in 2015, and construction on new projects within these parcels is only allowed with a specific work plan approved by the regulatory agencies. As part of the review process for any new construction proposals, EPA and its state regulatory partners assess any potential concern about radiological exposure and any other hazardous contaminants.

For example, EPA reviewed the draft workplan for the new artists' building, part of which is located on Parcel UC-2, before construction started. We researched the locations closest to the artists' building where Tetra Tech EC Inc. had done trench and other radiation cleanup work. None of the radiological work that is in question lies within the boundaries of the artists' building work. Therefore, EPA has no concern about radiological exposure—or any other hazardous contaminants—associated with construction of the artists' building.

EPA also has previously evaluated the potential current exposure to radiation at Parcel A, where the new homes have been built. We have no reason to question any cleanup work performed on Parcel A. Historically, the majority of Parcel A was used for residences and administrative offices, not industrial activities. The only radiological materials found at Parcel A were sandblast grit and firebricks, and these have since been removed. Former Buildings 322, 816, and 821 had potential for radiological contamination. The Navy scanned all three buildings and did not find radiological contamination above required cleanup levels. Buildings 322 and 816 were demolished and removed. Building 821 is located on Crisp Road, not in the developed portion of Parcel A. No other sources of radiological contamination were identified during the investigation or cleanup of Parcel A. In 2002, EPA conducted a radiological scanner van survey of Parcel A and navigable roads on other parts of the shipyard. All of the anomalies detected during the scan were attributable to natural occurring sources at levels consistent with what would normally be found in the environment.

April 13, 2018

Q1. Has EPA followed-up with the Navy -- is it requiring the Navy to re-take samples on 90 percent and 97 percent of those parcels to see if additional cleanup is needed before land transfer?

EPA is pleased that the Navy will be resampling the impacted parcels and relying on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done. The final plan for resampling is not yet complete, though the Navy has committed to resampling 100% of the survey units previously sampled by Tetra Tech.

Q2. Who will be re-taking any samples? Is it the same contractor, Tetra Tech, or someone else?

The Navy is using a third-party independent contractor; Tetra Tech will not be involved in this effort. EPA and the state regulators will be overseeing this process and taking split samples for independent analysis.

Q3. When will EPA be done with reviewing the other parcels at Hunters Point to see if the Navy was correct in determining how much of the sampling has signs of potential falsification, etc.?

EPA sent the Navy the results of our independent review of Parcels B and G on December 29, 2017 and of Parcels D-2, UC-1, UC-2, and UC-3 on March 30, 2018. EPA is currently reviewing reports on Parcels E and C, and a report on various buildings located on the Hunters Point Naval Shipyard site. Per Q1, regardless of the amount of falsification, the Navy has committed to resampling 100% of the survey units previously sampled by Tetra Tech. EPA's final review comments will help inform where the resampling will be done.

Q4. Is EPA investigating the use of Tetra Tech in cleanup contractors elsewhere, either in Region 9 or across the country? If so, can you offer details on when that investigation was launched and what it entails?

Any ongoing investigation by EPA would be of a confidential nature and therefore not something we could discuss.

Q5. Does EPA have any explanation for the discrepancy between EPA and the Navy over the review of sampling? Why such a difference in findings?

Please see the attached report for EPA's findings from our independent review of Parcels B and G soil sample data. In regards to the discrepancy in the percentages, EPA's assessment of the data included looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results. Please let us know if you have any specific questions about the report.

April 13, 2018

Q1: Was the "scanner van" also used to scan other parcels on the shipyard remediated by the Navy? If so, where and when? *[Restated question:]* Were the other parcels scanned by EPA *after* Tetra Tech remediation work in the years that followed, i.e. 2004 to 2016?

EPA has not done any rescanning of whole parcels after the Tetra Tech remediation work.

Q2: You say that Building 322 was scanned by the Navy and demolished, and that EPA has "no reason to question any cleanup work" on that Parcel. However, according to the Navy, Building 322 was scanned by Tetra Tech, the same firm whose data is now called into question all over the base. And according to the draft radiological findings report for buildings, there was no data for that building. Does EPA's contention that there is "no reason to question" the work stand, in light of Tetra Tech's apparent fraud? If so, how can we trust this work, and not other work?

Yes, we stand by our previous statement that we have no reason to question any cleanup work performed on Parcel A. Following the removal of Building 322 and a Tetra Tech scan of the building footprint, an EPA health physicist conducted an independent scan of the area to confirm that the former building site was clean. The health physicist did not detect any radiological contamination, so the site was determined to be transferable without restriction.

April 19, 2018

1. Why is the EPA and Navy's assessment of the shipyard different?

Please see the attached report for EPA's findings from our independent review of Parcels B and G soil sample data. In regard to the discrepancy in the percentages, EPA's assessment of the data included looking more closely for signs of potential data quality problems in addition to signs of potential falsification. For example, EPA recommended resampling when data were missing or when different data collection methods did not produce consistent results. Please let us know if you have any specific questions about the report.

2. Does retesting samples on this scale deviate from the normal process of a cleanup like this?

Yes. It is not typical to find widespread signs of potential falsification of data or data quality concerns in a cleanup of this type.

3. It looks like there were warning signs that occurred before last week. What allowed the troubles to continue until now? (reporter clarified that "warning signs" refers to an April 2014 report from Tetra Tech saying that they had submitted falsified soil samples, and the "troubles" are the ongoing issues related to the soil samples.)

In 2012, the Navy's internal quality control review of work by its contractor, Tetra Tech EC Inc., discovered anomalous results in some Hunters Point Naval Shipyard soil samples. Subsequently,

Tetra Tech EC Inc. identified several hundred anomalous soil samples, and, as a result, conducted additional sampling and removed contaminated soils. New information came to light in February 2016 as a result of an enforcement action taken by the Nuclear Regulatory Commission. In addition, later, several whistleblowers came forward in 2016 and 2017 and identified new and different allegations of data falsification and failures to follow the radiation cleanup work plan and procedures. These allegations triggered a much more comprehensive review of Tetra Tech EC Inc.'s work by the Navy, with oversight by EPA, the California Department of Toxic Substances Control and the California Department of Public Health. The new radiological data evaluation in 2017 and 2018 showed even more forms of falsification and data quality concerns.

EPA will continue to closely review information about any new concerns that come to light and to monitor the actions of the Navy and other agencies with regard to work by Tetra Tech EC Inc. to inform any further EPA action.

4. With retesting announced for the summer, what is the new expected timeline for the cleanup to finish?

The Navy will be resampling the impacted parcels and will rely on these new data to determine where additional cleanup may be needed. EPA's input, which is based on our independent review of the data, will help inform where the resampling will be done. The final plan for resampling is not yet complete, though the Navy has committed to resampling 100% of the survey units previously sampled by Tetra Tech EC Inc. The resampling results will determine how much additional cleanup may be needed, so at this time we are unable to predict how long that cleanup may take.

April 19, 2018

Q1: What is the EPA's role in the cleanup process at Hunters Point? For example, what is the agency's role in regards to the Navy, which bears the responsibility for site cleanup.

The Navy is the lead agency responsible for the investigation and cleanup of the Hunters Point Naval Shipyard. EPA and its state regulatory agency partners oversee and enforce Navy compliance with the Comprehensive Environmental Response Compensation and Liability Act (commonly called the Superfund law) and other requirements to ensure the cleanup at HPNS protects human health and the environment.

For additional details on the Navy's role, here is the contact information for their press officer: William Franklin, U.S. Navy Public Affairs Officer, (619) 524-5433. You can also see the Navy's web page about this site at [[HYPERLINK](https://www.bracpmo.navy.mil/brac_bases/california/former_shipyard_hunters_point.html) "https://www.bracpmo.navy.mil/brac_bases/california/former_shipyard_hunters_point.html"]

Q2: What are the main challenges to cleaning up a site like Hunters Point? What unusual aspects about the site make it particularly challenging?

This large site has many types of contaminants with potential impacts to soil, water, sediment, and the air. Please contact the Navy, the lead agency for the investigation and cleanup, for more information about cleanup challenges.

Q3: This site has multiple parcels with varying degrees of contamination and various stages of cleanup. How does this complicate the site cleanup and what challenges does this pose?

The different parts of the cleanup have varying timeframes for completion. Please contact the Navy, the lead agency for the investigation and cleanup, for more information about cleanup challenges.

Q4: What are the agency's next steps regarding the alleged false or unreliable soil samples from Tetra Tech? What would the EPA like to see happen to address this issue?

EPA sent the Navy the results of our independent review of Parcels B and G on December 29, 2017, and of Parcels D-2, UC-1, UC-2, and UC-3 on March 30, 2018. EPA is currently reviewing reports on Parcels E and C, and a report on various buildings located on the Hunters Point Naval Shipyard site. Regardless of the amount of falsification, the Navy has committed to resampling 100% of the survey units previously sampled by Tetra Tech. EPA's final review comments will help inform where the resampling will be done.

Q5: Would the EPA be able to provide any pictures of the Hunters Point site? We would be happy with birds-eye and/or ground-level views, especially if there's construction or trenches, etc.

Please see the Navy's web page about this site at [[HYPERLINK "https://www.bracpmo.navy.mil/brac_bases/california/former_shipyard_hunters_point.html"](https://www.bracpmo.navy.mil/brac_bases/california/former_shipyard_hunters_point.html)]

April 26, 2018

Q1: Will EPA explain why and how the "scanner van" would scan areas that were later remediated, including the utility corridors, as well as "areas of Parcel B, Parcel C, and minor portions of Parcels D and E," areas known to have contamination, and find nothing above background levels? Doesn't the van's failure to detect radioactive contamination in areas known to have contamination cast doubt on its results? If not, why not

A1. The scanner van technology is a "first look" at locating gamma emitting radionuclide contamination at or near the surface and is often used to prioritize more soil sampling for further radioanalyses. EPA did not base its decisions on how this site should be addressed based on the scanner van alone. Other forms of sampling and scanning provide additional

useful information about potential contamination present at the site. As such, the later Records of Decision (RODs) required further excavation, sampling, and scanning.

The radiological scanner van survey gave information related to certain types of potential radiological exposures closer to the surface; it did not address all types of radiation potentially present or deeper locations of contamination. The scanner van survey is also subject to other limitations listed in the attached report, e.g. only limited locations were accessible, asphalt would have shielded gamma radiation, etc.

Q2: Additionally, where can I find out more about the "EPA health physicist [who] conducted an independent scan of the area to confirm that the former building site was clean"? When was this done? Will you provide documents, or explain where documents may be kept?

A2. Steve Dean is an EPA health physicist who performed an independent scan of the area in 2004. Attached please find his memo documenting his work.

Q3: Lastly: Whistleblower Anthony Smith has sworn in the petition sent to the NRC last year that he took what was meant to be a background sample of soil from Parcel A. This soil was tested and was found to have "2 to 3 picocuries per gram of cesium-137, which Smith knew was much higher than background levels and the cesium-137 cleanup standard of 0.113 picocuries per gram – 18 to 26 times higher than the set health and safety ceiling." According to Smith, the area where this sample was taken is near Building 101, where the commercial kitchen is today on Parcel A. Was this report ever given to EPA? Did EPA or the Navy investigate? In any event, did EPA receive or is EPA party or privy to other reports or allegations of contamination on Parcel A?

A3. EPA has reviewed the petition, and multiple EPA staff have conducted field visits to the location that Mr. Smith indicated. This location was actually on Parcel UC-2, adjacent to Parcel A. In 2012, after Mr. Smith's reported sample collection occurred, the Navy removed all soil down to a depth of 2 feet below the surface (unless bedrock was encountered at a more shallow depth) and placed clean fill at this location as part of placement of a "durable cover" required across the entire site. This link gives documentation of this removal: [[HYPERLINK "http://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=38440004&doc_id=60308702"](http://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=38440004&doc_id=60308702)]. Attached is a relevant excerpt for your convenience.

Q4: Does EPA have on file the shipment manifests for truckloads of soil removed from the shipyard? If so I would like to request some.

A4: The Navy is responsible for maintaining the full Administrative Record for the Hunters Point Naval Shipyard. Here is a link to the Navy's website about this site: [[HYPERLINK "https://www.bracpmo.navy.mil/brac_bases/california/former_shipyard_hunters_point.html"](https://www.bracpmo.navy.mil/brac_bases/california/former_shipyard_hunters_point.html)]

If you would like access to a document that is not available online, contact Derek Robinson: (619) 524-6026, [[HYPERLINK "mailto:derek.j.robinson1@navy.mil"](mailto:derek.j.robinson1@navy.mil)]

May 3, 2018

Q1: I'm following up on my request for a statement from the EPA concerning the class action lawsuit that was filed against Tetra Tech by Hunters Point residents. I wanted to inquire about the EPA's position on the suit considering the EPA was partially in charge of overseeing Tetra Tech's cleanup effort during the time of the alleged fraud.

A1: We have no information to provide at this time.

Q2: I also wanted to get a statement concerning how Tetra Tech continues to be awarded EPA contracts despite widespread allegations of fraud.

A2: Neither Tetra Tech EC Inc., nor its parent company, Tetra Tech Inc., has been debarred or suspended from winning federal government contracts.

You can learn more about the contract award process here: [[HYPERLINK](https://www.epa.gov/contracts)
"https://www.epa.gov/contracts"]

May 4, 2018

Q1: Do you still maintain that the EPA's 2002 scanner van results are meaningful? Was it reasonable for the EPA to rely in part on the scanner van results in its decision to approve the transfer of Parcel A to San Francisco? (In a 2016 fact sheet on Parcel A, the EPA listed the 2002 scanner van survey as one reason that led to the EPA's approval of the transfer.

The scanner van technology is a "first look" at locating gamma emitting radionuclide contamination at or near the surface and is often used to prioritize more soil sampling for further radioanalyses. The results of the scanner van are one line of evidence that EPA relied on in investigating questions brought up regarding Parcel A, but it is not the only source of information. Please see below (response to question #2) for additional investigation and cleanup conducted on this parcel.

Q2: It's our understanding that there will now be resampling of parcels, and that Parcel A is not included. Given the allegations from the whistleblowers, and concerns about the inadequacy of the 2002 EPA scanner van survey of Parcel A, should a comprehensive soil survey for radiation now be conducted on Parcel A? If not, why not?

Historically, the majority of Parcel A was used for residences and administrative offices, not industrial activities. The only radiological materials found at Parcel A were sandblast grit and firebricks; these have since been removed. Former Buildings 322, 816, and 821 had potential for radiological contamination. The Navy scanned all three buildings and did not find radiological contamination above required cleanup levels. Buildings 322 and 816 were

demolished and removed. Building 821 is located on Crisp Road, not in the developed portion of Parcel A. No other sources of radiological contamination were identified during the investigation or cleanup of Parcel A.

EPA understands that Tetra Tech EC Inc. did not do any radiological work at Parcel A except at Building 322, which was demolished and removed many years ago. In addition, following the removal of Building 322, an EPA health physicist conducted an independent scan of the area to confirm that the former building site was clean. The EPA health physicist did not detect any radiological contamination (attached is the memo documenting his work). Because the site was clean, it was transferred without restriction.

Q3: Specifically, have you followed up on the claim of Anthony Smith that he found a hot cesium sample on Parcel A? Should that specific location on Parcel A be tested for radiation and/or remediated?

EPA took seriously Mr. Smith's claim, and multiple EPA staff have conducted field visits to the location that Mr. Smith indicated. This location was actually on Parcel UC-2, adjacent to Parcel A. In 2012, after Mr. Smith's reported sample collection occurred, the Navy contractor Engineering / Remediation Resources Group removed all soil down to a depth of two feet below the surface (unless bedrock was encountered at a more shallow depth) and replaced it with clean soil at this location as part of placement of a "durable cover" required across the entire site. The new clean soil came from outside the shipyard and was tested for radiological and chemical contamination before it was imported. This link gives documentation of this

cleanup work: [**HYPERLINK**

"http://www.envirostor.dtsc.ca.gov/public/final_documents2?global_id=38440004&doc_id=60308702"].

Attached is a relevant excerpt from this documentation for your convenience.

Q4: There is a commercial kitchen close to the location where Smith says he took the hot cesium sample. Are you concerned about this, from a safety standpoint? Should the public be concerned? Should the owners and clients of the kitchen be concerned? If not, why not?

No, we are not concerned about this from a safety standpoint. Please see response to question #3.

Q5: There are construction crews who have recently worked on Parcel A without protective gear to prevent radiation exposure. Should they be concerned about possible exposure to

radioactive materials? Should the people they come into contact with, such as their families, be concerned? If not, why not?

Based on the information we have at this time, we have no reason to question any cleanup work performed on Parcel A. Please see responses above.

Q6: Do you still have confidence in the work that Tetra Tech did on Parcel A cleanup, including its remediation of radiological contamination in a handful of buildings (322, 816, etc) and its replacement of excavated soil with backfill they said was clean?

Regarding buildings, please see the above response to question #2. Regarding backfill, we need more information before we can evaluate this concern. If there are any additional details to share about this concern, individuals can contact EPA's cleanup project manager Lily Lee at 415-947-4187 and [[HYPERLINK "mailto:lee.lily@epa.gov"](mailto:lee.lily@epa.gov)].

Q7: We have been told by a former Hunter's Point technician that he took a walk near the site in February of this year and observed the site through binoculars for an hour. He said he saw a dump truck digging up loads of wet slushy material from the shoreline at the border of Parcel E/Parcel F, then driving the material to a hillside on or near Parcel A and dumped the material on the hill. Our source says there was no radiation control of the truck as it moved from a potentially contaminated part of the site (Parcel E/F) to Parcel A. Are you aware of any similar breakdowns in radiation protocol at the site right now? Have you investigated any such breakdowns?

This is the first we have heard of this information, so we cannot respond at this time. We will look into this further based on the information you have already provided. If there are any additional details to share about this event, individuals can contact EPA's cleanup project manager Lily Lee at 415-947-4187 and [[HYPERLINK "mailto:lee.lily@epa.gov"](mailto:lee.lily@epa.gov)].

May 11, 2018

Q1: Does EPA have a statement on Tetra Tech's announcement yesterday that the Navy is "open" to TT's offer to pay for the retesting at HPNS?

A1: We have no information to provide at this time

Q2: The Navy so far has claimed that no retesting at Parcels E2 (landfill/metal slag area) and D1 (gun mole pier) is necessary because Tetra Tech EC did no work there. However, that does not appear to be correct. [reporter included links to reports, see below] Should the retesting area be expanded to include E2 and D (gun mole pier)? If not, why not?

A1: EPA's focus right now is on working with the Navy and other regulatory agencies to create a sampling approach and plan for Parcels G and B. As we move forward, we will assess proposed retesting at all parcels where Tetra Tech EC Inc. did radiological work.